

## REMARKS

Applicants thank the Examiner for the Office Action of November 13, 2008. This Amendment is in full response thereto. Thus, Applicants respectfully request continued examination and allowance of the application.

Claims 10-17 are pending in this application.

### Claim Rejections Under 35 U.S.C. § 102

Claims 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Lozhkin, et al (SU403926). Applicant respectfully traverses because Lozhkin fails to disclose, teach, or suggest all of the limitations of the claims, including:

- a) a filtration member having a porous wall;
- b) a duct formed in the filtration member and being at least partially defined by a porous wall;
- c) the duct has an open upstream end;
- d) emergence of an upstream portion (21) of a liquid flow pipe (13) into an open end (53) of a duct (51) (which is formed in a filtration member and at least partially defined by a porous wall (57)) via interposed first sealing means (73); and
- e) emergence of a downstream portion (23) of the liquid flow pipe (13) opposite a lateral region (59) of the porous wall (57) extending in the flow axis (Y-Y') along which the duct extends.

Lozhkin does not disclose a porous wall or a duct, much less an open upstream end of the duct. However, even if Lozhkin disclosed above limitations (a), (b), and (c), Lozhkin fails to disclose limitations (e) and (e). In contrast to what the Examiner depicts in the Office Action, the cryogenic media purification filter of Lozhkin actually operates in a fashion opposite to that of the instant application. As seen in the second full paragraph on page 3 of the translation of Lozhkin, the cryogenic fluid enters via connection 11 into insert 8, in which it is filtered and then discharged from the filter through connection 10. Thus, the element of Lozhkin corresponding to an

upstream portion of a liquid flow pipe would be connection 11 and the element of Lozhkin corresponding to a downstream portion of a liquid flow pipe would be connection 10. Thus, in Lozhkin connection 10 does not emerge opposite a lateral region of a wall extending in a flow axis along which the duct extends. Rather, connection 10 emerges a mostly vertical region of end walls of inserts 8.

Furthermore, in Lozhkin connection 11 does not emerge into an open end of a duct.

Thus, the rejection should be withdrawn.

**First Claim Rejection Under 35 U.S.C. § 103:**

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lozhkin, et al. (SU403926). Because claim 14 includes all of the limitations of claim 10 and Lozhkin fails to disclose, teach, or suggest all of the limitations of claim 10, claim 14 is similarly patentable over Lozhkin. As such, the rejection should be withdrawn.

**Second Claim Rejection Under 35 U.S.C. § 103:**

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lozhkin, et al. (SU403926) as applied to claim 10 above, and further in view of Gruber (USPN 3,366,240). Because claim 15 includes all of the limitations of claim 10 and Lozhkin fails to disclose, teach, or suggest all of the limitations of claim 10, claim 15 is similarly patentable over Lozhkin. Gruber fails to cure the deficiencies of Lozhkin. As such, the rejection should be withdrawn.

**Third Claim Rejection Under 35 U.S.C. § 103:**

Claims 16-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lozhkin, et al. (SU403926) as applied to claim 10 above, and further in view of Giacobbe (USPN 4,717,406). Because claims 16-17 include all of the limitations of claim 10 and Lozhkin fails to disclose, teach, or suggest all of the limitations of claim

10, claims 16-17 are similarly patentable over Lozhkin. Giacobbe fails to cure the deficiencies of Lohzkin. As such, the rejection should be withdrawn.

### **CONCLUSION**

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the examiner believe a telephone call would expedite the prosecution of the application, he/she is invited to call the undersigned attorney at the number listed below.

A Petition for a One Month Extension of Time has been contemporaneously submitted with this Amendment along with the associated fee. Otherwise, it is believed that no other fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

Respectfully submitted,

Date: **March 12, 2009**

/Christopher J. Cronin/

Christopher J. Cronin

Registration No. 46,513

Air Liquide  
2700 Post Oak Blvd., 18<sup>th</sup> Floor  
Houston, Texas 77056  
Phone: 302-286-5525  
Fax: 713-624-8950